

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment - Law Department - Sri M.V.B.Vasantha Rao, Joint Secretary to Govt. (Translations) - Reverted as Deputy Draftsman to Government (Telugu), Law Department - for want of vacancy during the period from 31-07-2010 to 08-11-2010 - Orders- Issued.

G.O.Ms.No. 99

Dated 07-09-2011

Read the following:-

1. G.O.Ms.No.23, Law (M.I) Department, dated 10-02-2009.
2. G.O.Ms.No.143, Law (M.I) Department, dated 06-11-20.
3. G.O.Rt.No.1998, Law (M.I(2)) Department, dated 16-11-2010.

ORDER:

Sri M.V.B. Vasantha Rao, the then Deputy Draftsman to Government (Telugu), Law Department was temporarily promoted as Joint Secretary to Government (Translations), Law Department in the vacancy caused due to the deputation of Sri N. Venkateswara Rao, Joint Secretary to Govt. (Translations) as Additional Private Secretary to Minister of State (HRD), Government of India, New Delhi vide G.O. first read above and he joined in the promotion post on 16-02-2009 and continued as such till 30-07-2010. Consequent on joining of Sri N. Venkateswara Rao, as Joint Secretary (Translations) in the Department on 31-07-2010, Sri M.V.B. Vasantha Rao who would face reversion as Deputy Draftsman to Government (Telugu), for want of vacancy, since the cadre strength of Joint Secretary to Government (Translations) is one only, proceeded on leave w.e.f. 31-07-2010.

2. Sri N. Venkateswara Rao, Joint Secretary (Translations) was promoted as Additional Secretary (Non-Cadre) (Translations), Law Department vide G.O.Ms.No.143, Law, dated 6-11-2010 and he assumed charge as Additional Secretary(Translations) on 08-11-2010. Sri M.V.B.Vasantha Rao who was not reverted as Deputy Draftsman to Govt. (Telugu), Law Department, has joined duty on 09-11-2010 and he was posted as Joint Secretary (Translations) w.e.f. 09-11-2010, in the consequential vacancy which arose on promotion of Sri N. Venkateswara Rao, Joint Secretary (Translations) as Additional Secretary (Translations), Law Department w.e.f. on 8-11-2010, vide orders issued in the reference third read above.

3. Sri M.V.B.Vasantha Rao, the then Deputy Draftsman to Government (Telugu), Law Department was initially promoted on temporary basis in a deputation vacancy as Joint Secretary to Government (Translations), Law Department under rule 10 (a) of the Andhra Pradesh State and Subordinate Service Rules, 1996 vide G.O. first read above. Sub-rule (c) of rule 10 of the said Rules among other things specifies that a person appointed under sub-rule (a) shall not be regarded as a probationer in such service, class or category. Sub-rule (e) of rule 10 of the Andhra Pradesh State and Subordinate Service Rules, 1996 lays down that "the appointing authority shall have the right to terminate the service of a person who has been appointed under sub-rule (a), at any time, without assigning any reason and without any notice, if appointed by direct recruitment, revert to a lower category or grade, if promoted, or revert to the post from which such appointment by transfer was made, if appointed by transfer."

4. As per Note-2 given under rule 4 (d) (i) (b) of the Andhra Pradesh Leave Rules, 1933, the leave-salary of a permanent Government Servant who has been continuously officiating in another post for more than three years (including periods of leave, deputation, foreign service etc., during which he would have officiated in that post but for such leave, deputation, foreign service, etc.) at the time he proceeds on leave shall be calculated as if he were the substantive holder of the post in which he was so officiating or in which he would have so officiated but for his officiating appointment in an equivalent or a still higher post.

5. In the instant case, Sri M.V.B.Vasantha Rao, has drawn leave salary during his leave period from 31-07-2010 to 08-11-2010 basing on the pay drawn by him in the promotion post of Joint Secretary (Translations). As per the rule position enunciated in Note-2 given under rule 4 (d) (i) (b) of the Andhra Pradesh Leave Rules, 1933, a permanent Government Servant who has been continuously officiated in another post for more than three years, at the time he proceeds on leave, alone is eligible to draw the leave salary calculated on the pay drawn by him in such post.

6. In view of the above, Sri M.V.B. Vasantha Rao, Joint Secretary to Government (Translations), Law Department is hereby reverted as Deputy Draftsman to Government (Telugu), Law Department during the leave period from 31-07-2010 to 08-11-2010 and his pay will be regulated accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R. DAMODAR
SECRETARY TO GOVERNMENT,
LEGAL AFFAIRS.

To
Sri M.V.B. Vasantha Rao,
Joint Secretary (Translations), Law Dept.
Copy to:
Law (M.II) Department
The D.P.A.O., Secretariat Branch, Hyd.
S/f & S/c.

//FORWARDED :: BY ORDER//

SECTION OFFICER